

- - REMARKS - -

Claims 1-14 are currently pending in the application. Claims 1-7 have been withdrawn from consideration. New claim 15 has been added. Claim 8 has been amended. The changes to the amended claim from the previous version to the rewritten version are shown above with strikethroughs for deleted matter and underlines for added matter. No new matter has been added as a result of these amendments.

In the outstanding Office Action, claims 8-11 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,219,196 to Luker (hereinafter "Luker"). Claims 8-14 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,568,726 to Caspi (hereinafter "Caspi"). The allowability of claims 12-14 indicated in the previous Office Action dated October 4, 2007, has been withdrawn. The rejections under 35 U.S.C. § 102(b) and (e) are respectfully traversed.

Independent claim 8 is directed to a latching strike assembly and requires a bi-stable detent having both a stable locking position and a stable unlocking position. This limitation therefore clearly requires that the bi-stable detent have two separate positions, each of which are stable. In other words, and as explained in our previous response (filed on January 4, 2008), the limitation requires that the bi-stable detent be capable of positively remaining in both the locking and unlocking positions (although obviously not at the same time) without the requirement of active intervention, such as by energizing a solenoid, to maintain the particular position of the detent. As explained in detail in the specification for the instant application, this feature prevents the claimed detent from changing from one position to the other in response to, for example, a power outage or a solenoid failure, which in prior art systems can cause the locking mechanism to unintentionally switch from the locked to the unlocked position, or visa versa, depending on the type of locking mechanism (i.e., fail safe or fail secure, respectively).

Luker fails to disclose or suggest the above-described features and limitations, and in particular, fails to disclose or suggest a bi-stable detent that is displaceable between a stable locking position and a stable locking position as required by claim 8. Contrary to the Examiner's assertion, the pins 19, 20 and 21 of Luker are not stably held in an opposing position by solenoid 26. This position requires energisation of the

solenoid 26 and is thus clearly an unstable position, given that the de-energisation of the solenoid 26 would result in pins 19, 20 and 21 being driven from that position. Moreover, and also contrary to the Examiner's assertion, detent 307 of the last embodiment of the present invention is a pin that is spring biased to one stable position, and is held in the opposite stable position by a magnetic latching mechanism that is embodied within a solenoid, as opposed to (as seems to be suggested by the Examiner) by energisation of the solenoid itself. Although the magnetic latching mechanism is disposed within the solenoid in the embodiment illustrated and described in the specification for the instant application, it could equally be located outside of and separate to the solenoid. In other words, the function of the magnetic latching mechanism to retain the pin in the opposite stable position is independent of solenoid energisation.

Applicants also respectfully traverse the Examiner's assertion that the lack of voltage in Luker constitutes the second control signal required by independent claim 8. It is not clear how the provision of nothing (by not providing a voltage) can be equated with providing a signal. Further, the lack of any voltage applied to the solenoid 26 of Luker does not activate the solenoid, but results in the solenoid being de-activated. Claim 8 has nevertheless been amended to require first and second control signals having first and second polarities, respectively, so as to eliminate any ambiguity that may have been the basis for the rejection. Luker clearly fails to disclose or suggest this limitation.

Caspi likewise fails to disclose or suggest the above-described features and limitations. Firstly, the features relied on by the Examiner in asserting the rejection are the features of two separate deadbolt keepers, i.e., those depicted in Figs 4 and 5. However, Caspi fails to disclose the features relied on by the Examiner in a single latching strike assembly.

Secondly, Caspi does not disclose a latching strike that is pivotable between open and closed positions, as further required by claim 8. The strikes disclosed in Figs. 4 and 5 of Caspi, which are deadbolt strike 36 and deadbolt strike 66, respectively, are not pivotable. In addition, the elements 44 and 46 referred to by the Examiner as comprising the necessary latching strike are, in fact, an actuator and screw,

respectively. These structures clearly do not constitute a latching strike as defined by claim 8.

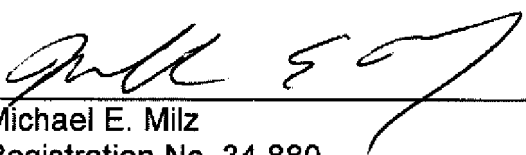
Caspi further fails to disclose or suggest the combination of a bi-stable detent and a solenoid. The Examiner asserts that the pin 53 of Caspi forms a bi-stable detent and the "balance" forms a solenoid. The "balance" of solenoid 52 (omitting pin 53), however, does not constitute a solenoid. Pin 53 is a necessary component of the solenoid for it to function as a solenoid. Further, pin 53 is not bi-stable, given that it relies upon energisation of the solenoid 52 for it to be retained in one position. Finally, the solenoid 52 of Caspi is not activated by locking and unlocking control signals of first and second polarities, respectively.

Independent claim 8 is therefore not rendered unpatenable by either Luker or Caspi, either alone or in combination. Claims 9-14 are each dependent on claim 8 and are likewise not rendered unpatentable by the prior art.

New independent claim 15 is similar to claim 8, but recites additional structure related to the manner in which the bi-stable detent is made stable in both the locking and unlocking positions as described in the elected embodiment of the present invention. In any event, claim 15 includes the same limitations of claim 8 demonstrated above to be absent from both Luker and Caspi. As a consequence, claim 15 is not rendered unpatenable by the prior art.

It is therefore believed that the application is in condition for allowance, and such allowance is now earnestly requested. If for any reason the Examiner is not able to allow the application, he is requested to contact the Applicants' undersigned attorney at (312) 321-4273.

Respectfully submitted,


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